

## IN THE CLAIMS

This listing of claims replaces all prior listings:

1. (currently amended) A non-aqueous electrolyte secondary cell comprising:

a cathode comprising  $\text{Li}_x\text{Fe}_y\text{PO}_4$  and having a particle diameter not greater than 1 micrometer and wherein  $0 < x \leq 2$  and  $1 \leq y \leq 2$ ;

~~an a binderless~~ anode consisting of comprising [[:]]

(1) a sintered mesophase carbon material prepared by sintering a mesophase carbon material, said sintered mesophase carbon material being capable of doping/dedoping lithium[[:]]<sub>1</sub> and

(2) a conductive agent comprising Li and a tin or silicon, containing metal material which forms an alloy or a compound with Li; and

a non-aqueous electrolyte solution.

2-3. (canceled)

4. (currently amended) A non-aqueous electrolyte secondary cell comprising:

a cathode having a molded body comprising a cathode active material and a conductive agent, said active material comprising  $\text{Li}_x\text{Fe}_y\text{PO}_4$  and having a particle diameter not greater than 1 micrometer wherein  $0 < x \leq 2$  and  $1 \leq y \leq 2$ ;

~~an a binderless~~ anode having a molded body ~~consisting of comprising~~ (1) a ~~binderless~~-sintered mesophase carbon material capable of doping/dedoping lithium, and (2) a conductive agent comprising, Li and a tin or silicon metal material which forms an alloy or a compound with Li; and

a non-aqueous electrolyte solution.

5-13. (canceled)

14. (canceled)

15. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein said non-aqueous electrolyte solution comprises an electrolyte salt and a non-aqueous solvent.

16. (previously presented) The non-aqueous electrolyte secondary cell of Claim 15, wherein said electrolyte salt is a lithium salt having ion conductivity.

17. (previously presented) The non-aqueous electrolyte secondary cell of Claim 16, wherein said lithium salt is selected from the group consisting of  $\text{LiClO}_4$ ,  $\text{LiAsF}_6$ ,  $\text{LiPF}_6$ ,  $\text{LiBF}_4$ ,  $\text{LiB}(\text{C}_6\text{H}_5)_4$ ,  $\text{LiCl}$ ,  $\text{LiBr}$ ,  $\text{CH}_3\text{SO}_3\text{Li}$ ,  $\text{N}(\text{C}_n\text{F}_{2n}\text{SO}_2)_2\text{Li}$ , and mixtures thereof.

18. (previously presented) The non-aqueous electrolyte secondary cell of Claim 15, wherein said non-aqueous solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, diethyl carbonate, methyl ethyl carbonate, dimethyl carbonate,  $\gamma$ -butyrolactone, tetrahydrofuran, 1,3-dioxolane, 4-methyl-1,3-dioxolane, diethyl ether, sulfolane, methyl sulfolane, acetonitrile, propionitrile, and mixtures thereof.

19. (canceled)

20-21. (canceled)

22. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, the silicon containing metal material of the conductive agent is selected from a group of materials consisting of  $\text{SiB}_4$ ,  $\text{SiB}_6$ ,  $\text{Mg}_2\text{Si}$ ,  $\text{TiSi}_2$ ,  $\text{MoSi}_2$ ,  $\text{CoSi}_2$ ,  $\text{NiSi}_2$ ,  $\text{CaSi}_2$ ,  $\text{CrSi}_2$ ,  $\text{Cu}_5\text{Si}$ ,  $\text{FeSi}_2$ ,  $\text{MnSi}_2$ ,  $\text{NbSi}_2$ ,  $\text{TaSi}_2$ ,  $\text{VSi}$ ,  $\text{WSi}_2$ , and  $\text{ZnSi}_2$  and mixtures thereof.

23. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein said non-aqueous electrolyte solution comprises an electrolyte salt and a non-aqueous solvent.

24. (previously presented) The non-aqueous electrolyte secondary cell of Claim 23, wherein said electrolyte salt is a lithium salt having ion conductivity.

25. (previously presented) The non-aqueous electrolyte secondary cell of Claim 24, wherein said lithium salt is selected from the group consisting of  $\text{LiClO}_4$ ,  $\text{LiAsF}_6$ ,  $\text{LiPF}_6$ ,  $\text{LiBF}_4$ ,  $\text{LiB}(\text{C}_6\text{H}_5)_4$ ,  $\text{LiCl}$ ,  $\text{LiBr}$ ,  $\text{CH}_3\text{SO}_3\text{Li}$ ,  $\text{N}(\text{C}_n\text{F}_{2n}\text{SO}_2)_2\text{Li}$ , and mixtures thereof.

26. (previously presented) The non-aqueous electrolyte secondary cell of Claim 23, wherein said non-aqueous solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, diethyl carbonate, methyl ethyl carbonate, dimethyl carbonate,  $\gamma$ -butyrolactone, tetrahydrofuran, 1,3-dioxolane, 4-methyl-1,3-dioxolane, diethyl ether, sulfolane, methyl sulfolane, acetonitrile, propionitrile, and mixtures thereof.

27. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein the cathode further comprises a conductive material and a binder.

28. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein the anode further includes a molded and sintered current collector material combined with said sintered carbon material.

29. (currently amended) The non-aqueous electrolyte secondary cell of Claim 1, wherein the tin or silicon containing metal material includes a metal selected from the list of elements and compounds consisting of B, Mg, Ti, Mo, Co, Ni, Ca, Cr, Cu, Fe, Mn, Nb, Ta, V, and W.

30. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein said cathode further comprises a conductive material and a binder.

31. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein the anode further includes a molded and sintered current collector material combined with said sintered carbon material.

32. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein the silicon metal material includes  $\text{Mg}_2\text{Si}$ ,  $\text{Ni}_2\text{Si}$ .